



Territories: Philippine Cordilleran Governance and its Arendtian Parallels

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Abstract: The following essay attempts to highlight some distinct features of indigenous governance in the Philippine Cordilleras. While some of these principles are observable across different ethno-linguistic groups, no arguments are made here regarding a lateral similarity and/or applicability between the governance practices of the Philippine Cordilleras compared to other local or international indigenous groups – as those also have their own distinct practices. A few tasks are endeavored: first, the basis/origin of both (Philippine) state and (Cordilleran) indigenous laws and practices are given attention for contrasts. Second, a brief excursion into Hannah Arendt's thoughts on council democracy is mentioned as a complement to these systems, especially her proposal for territorially-based councils and her notion of freedom. The essay ultimately hints for the *recognition of traditional governance* in the Cordilleras, as well as a *parallel application* of both state and traditional policies where applicable, especially if these initiatives lead to greater benefit for affected constituencies.

Key Words: The Cordilleras; the state; indigenous governance; Arendt.

Introduction

The political issue of governance is generally expected to be the task of the state (ruling body) and is usually implemented by the same with a 'top-down' perspective. Governance by the state starts from the general articles of the constitution, to their subsequent interpretations into national and local laws. Made considering mainstream populations, these laws are sometimes implemented to the detriment of the nation's minority groups. These laws and policies are challenged by the minorities (the indigenous), who by their own instruments have previously already fashioned for themselves the rules and laws by

which they are governed. Antagonisms present themselves on both sides, each with differing purposes, ends and interests.

In reference to the majority population, the indigenous experience can be described in terms of *contrasts* rather than comparisons. It is estimated that upwards of 350 million indigenous peoples exist worldwide, most of them classified as living in poverty¹. Sociological and anthropological studies abound with accounts of these contrasting modes of

¹ 2005 data. See the transcripts of the talk of Victoria Tauli-Corpuz, 4th session UN Permanent Forum of Indigenous Issues, May 16-27, 2005.



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existence, and they give credence to a more-or-less unpleasant description of the indigenous Cordilleran Filipino, at least in the perspectives of the old colonial governments and those who do not understand² the Cordilleran worldview.

The following paragraphs attempt to highlight some distinct features of traditional³ governance in the Philippine Cordilleras. The paper does not propose a lateral similarity and/or applicability when speaking of other local or international indigenous groups. Also, given that Cordilleran communities adhere to different governance practices due to the existence of multiple ethno-linguistic groups, it would be more appropriate to limit discussions to generally-occurring principles.

Pertinent to discussions would be: first, the basis/origin of both state and indigenous laws

² Consider colonial descriptions: Governor Diego Salcedo (1662) remarks, [the Igorots are] “owners of the gold mines and enemies of the Christian” (in Scott, 1993, 2). “[The Spaniards] considered the Igorots to be bandits and savages and lawbreakers ...” (ibid., 4). The description of the Igorot (*Igorotte*) is ‘infidel’ or ‘heathen’ (Guidebook at the *Exposicion General de las Islas Filipinas*; in Scott, 1993, 52). Consider as well the failed House Bill 1441 (1958) by Luis Hora, which proposed to change all literature containing the terms ‘Moro’ and ‘Igorot’ into ‘Muslim’ and ‘Highlander’ respectively; or the words written defending the Filipinos at the expense of the Igorots in *Mother America* by Carlos Romulo (1943, 54).

³ The term ‘traditional’ is used mainly to differentiate it from state governance. While it carries connotations of ‘old’ or ‘bygone’ practices, the qualification is that these indigenous systems have undergone transformations at present, but still retain the *spirit* of their inception into the custom. See Gerard Finin (2005) for an honest evaluation of Cordilleran involvement in Philippine affairs from the turn of the previous century to the present, accenting the evolution of the Cordilleran mindset from its primitive past to its global awareness at present.

and practices; and second, Hannah Arendt’s thoughts on council democracy as a complement to these systems, especially her proposal for territorially-based councils and her notion of freedom. Ultimately, the proposal for the *recognition of traditional governance* in the Cordilleras is hinted at, and that where applicable, a *parallel application* of both state and traditional policy must be insisted if this leads to greater benefits for affected constituencies.

Code Versus Land

Governance systems acknowledge three major tasks: law-creation, law-implementation, and law-correction. These tasks are actualized in the known branches of state governmental bodies and are also present in traditional indigenous governance systems (cf. Cawed, 1981; Prill-Brett, 1987).

Indigenous peoples generally refer to a nation’s minority groups who still retain and practice customs and traditions passed onto them pre-invasion or pre-colonization times. But the term ‘indigenous’ may also connote a *sense of belonging to something or somewhere*. It means *rootedness in a tribe* or an *ethnos*, such that indigeneity can be claimed even by someone living among mainstream populations and only possessing limited knowledge of his/her original customs.

More substantial descriptions of Cordilleran indigenous socio-political systems are available⁴. But in brief, the system can be explained in terms of a ‘territory-based community’. The terrestrial village (*ili*) pertains to the wider

⁴ See Carmencita Cawed (1981): “*The Culture of the Bontok Igorot*”; June Prill-Brett (1987): “*A Survey of Cordillera Indigenous Political Institutions*”; F. Landa Jocano (1998): “*Filipino Indigenous Ethnic Communities: Patterns, Variations, and Typologies*”, Oliva Domingo (2004): “*Indigenous Leadership and Governance*”; etc.



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territory and is composed of smaller group of households called *ator* (wards) each with an *ato/dap-ay* (structure/building where the council of elders meet) and an *olog* (a dormitory for ladies) in the case of some villages. Issues⁵ within a specific ward are settled by the *amam-a* (elders) of the same ward meeting together (Prill-Brett, 1987, 5). Issues concerning the entire village necessitate representatives from each *ato* meeting as a single body. This higher council is known as the *intugtukan* (Domingo, 2004, 9). The appointment of elders/leaders follow a character-based system; and while wealth or combat prowess (in past times) count as advantages, the community primarily puts a premium on individuals embodying traits deemed desirable by the community. Elders need not be of advanced age and are not exclusively males. Since character is the basis of leadership or eldership, a vote is not always necessary – and a better description would be that elders *arise from the people*. The traits vary from each community; nevertheless, concerted efforts from several organizations⁶, seeking to outline the basic principles of indigenous governance and leadership, have yielded the following:

- 1) Sovereignty and self-rule, 2) collective identity, collective rights and collective leadership, 3) self-determination, 4) harmony and interaction with nature, 5) international solidarity among indigenous peoples and linkage

⁵ The whole community takes stake in many aspects of the lives of its constituency and as such the issues vary in both description, scope, and gravity. Suffice it to say that it includes whatever bears the elders' serious attention.

⁶ Sourced from *Education Manual on Indigenous Elders and Engagement with Government* (2012), a document jointly published by Indigenous Learning Institute for Community Development (ILI), Cordillera People's Alliance (CPA), Asia Indigenous People's Pact (AIPP). These principles are meant to represent *current* governance and leadership.

with wider social and political movements, 6) sustainability, 7) spirituality, and 8) dignity (CPA and AIPP, 2012, 13).

A stark difference between state and traditional governance involves their structural *origin*. Philippine state laws derive their operative form from interpretations of the articles of the state Constitution, and these are subsequently interpreted into national and local laws. They follow a hierarchical, 'top-down' (vertical) and 'bureaucratic' (administrative/organizational-based) governance system.

Traditional indigenous governance and practices, on the other hand, derive existence from a very organic source: *the land*⁷. This term connotes terrestrial territory, with all its features and resources. Most of the principles outlined above exemplify an *indigenous-land relation* and admits that indigenous peoples practically frame all aspects of their lives according to how these would affect the land (*Iuta*) as well as other people (*iipugaw*). In contrast to the vertical and organizationally-based system of state governance, indigenous systems exemplify a natural, 'sideways' (horizontal) and 'grassroots' (people-based) governance system.

Julius Mendoza (2007, 1) picks up the theme of indigenous-land relation, arguing that postmodern aims have resulted in a *culture loss*, and are threatening the delicate bond between culture, land, and people. Mendoza explains that cultural identity is enshrined in the land as source and sustenance; "loss of milieu is loss of culture" (*ibid.*, 5). Why does history show Cordillerans

⁷ This *indigenous-land relation* is present in many tribal communities all around the world. Nothing less than the United Nations acknowledges this, and within the articles of its United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) document, adopted in 2007, one can find profuse attribution to the land when speaking about the indigenous rights.

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resisting state governance or any governance coming from without for that matter? The answer may lie in the observation that conflicting opinions have presented themselves, and instead of negotiating these differences as equals, the state is asserting dominance against indigenous peoples. Can the indigenous really be blamed for protecting the land?

The disparity between *the code* and *the land* can be explicated by an example. During the Philippine Martial Law era (also notable for Cordillerans as a time of aggressive state expansion into indigenous territories and the unabashed exploitation of their natural resources)⁸, four tribal leaders refused Jose Diokno's offer to build up a case before the Philippine court against the Chico River Dam project. They stated:

If we accept, it will be as if we ever doubted that we belong to the land; or that we question our ancient law ... if we accept, it will be recognizing what we have always mistrusted and resisted. If we accept, we will then be honor-bound to abide by the decisions of that tribunal. Long experience has shown us that the outsider's law is not able to understand us, our customs and our ways. Always, it makes just what is unjust, right what is not right

⁸ Examples of which are logging activities by the Cellophil Resources Corporation (having been awarded license to operate over most of the forested territories of Abra); and the proposed four dams to be constructed along the Chico River. There is also PD705 (Revised Forestry Code) which asserted in Section 15 that terrains having more than an 18-degree slope are considered inalienable and are to be reverted as state and forest lands, effectively classifying the occupants of these lands (the indigenous) as *squatters*. These and many other transgressions date decades earlier to the American colonial government.

(Pagusara, 1983; in De los Reyes and De los Reyes, 1986, 159).

Present state governance probably does not exercise such extreme measures as it did before in view of the indigenous, but there are still spaces for improvements on such fronts. It is a relief that many state agencies (at least in the Cordilleras) acknowledge the existence of unique indigenous governance practices and seek to accommodate them in implementing local laws. Present examples would be parallel observance of state and community practices during town events and feasts, where the local government and the elders of the community freely share in the responsibilities. As well, the state grants ancestral lands and domains back to the tribes and communities who originally inhabit those territories (at least where such a granting is possible; many ancestral domains are admittedly permanently lost). Another would be in the conduct of funerals, where some indigenous elders are buried following the traditional practice of cutting down a mature tree and hollowing out the coffin from the trunk. The state law against tree-cutting is relaxed in such instances, respecting the tradition.

Grassroots Governance

The issue of indigenous resistance to state governance on matters of land and territory leads to a few philosophical parallels when using Hannah Arendt. Of note in the succeeding would be short intimations of her thoughts on councils and her concept of freedom. Briefly, council democracy sports a territorially-based structure since this (optimistically) allows increased citizen participation; while freedom is the ability to politically act.

Hannah Arendt does not write extensively about the concept of council democracy. Her reason was that many others are already outlining what it is. What she gives are a few remarks about why the



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council system is a legitimate form of governance. John Sitton comments:

Her purpose is simply to sketch a political structure to illustrate the possibility of realizing alternative political principles: direct democracy, the experience of public freedom and public happiness in the modern world, an arena for proper opinion formation and a polity not based on the notion of sovereignty (Sitton, 1994, 308).

Not seeing the likelihood of her suggestions as operative and viable in real practice, critics brand and dismiss her view of council democracy as 'utopian', 'unrealistic' or 'historically rare' (cf. Bortolini, 2003, 2-3). But what Arendt offers is *governance aside from* (not *instead of*) the vertical and hierarchical structure offered by the state. Her council system is one which she gleans in part from the ideal of the Greek *polis* (Bokiniec, 2009, 78), from Thomas Jefferson's remark for increased citizen participation⁹, as well as from the council movements of the 20th century. Bortolini explains that myopic or closed-off perspectives may have been in place when some critics judged Arendt's concept: "[i]n itself Arendtian politics is not flawed at all. It is 'utopian' only because nobody is ready to abandon, not even from a theoretical point of view, our current state-centered political system" (Bortolini, 2003, 3). How else should one regard indigenous governance if not as organic, self-sustaining, non-state political systems?

Something more striking is Arendt's description of the council system structure and its

⁹ Arendt (1963, 254) writes of Thomas Jefferson in *On Revolution*: "[Where everyone] feels that he is a participator in the government of affairs, not merely at election one day of the year, but everyday ... he will let the heart be torn out of his body sooner than his power be wrested from him by a Caesar or a Bonaparte".

seeming parallels with the Cordilleran *ili*. Sitton notes that Arendt was partly inspired by Jefferson's "plan for 'ward-republics' to exemplify the council tradition" (1994, 312-313) when she proposed a *territorially-based* structure for council democracy. She pictured the existence of independent lower councils and higher councils which exist based on terrestrial demarcations. But the designation of 'lower' or 'higher' council does not entail more authority or power for the latter. Rather, "the very phrase 'higher council' refers [...] to the fact of including a larger territorial area as the primary, but not exclusive, focus of deliberations" (ibid., 314). This indicates an acknowledgement of *lateral authority*, a feature already present and operative in traditional Cordilleran governance. As seen, independence is given to each council to govern its territory; and to work with other councils in matters transcending its scope.

Arendt regarded the council system as the "lost treasure of the revolution" (Bokiniec, 2009, 77). For her, the revolutionary movements presented people with more spaces for participation in politics. This participation need not only mean the creation of new governments after the revolution, but rather and more essentially, the *raw experience* of just being part of the public. Arendt's distinctions between the private (*home/oikos*) and public (*city/polis*) bears reminding in this regard, as well as her preference for the public as the true expression of human identity. Human action and participation, as Arendt sees it, takes a private and a public sense. The private pertains to the home and the personal life of an individual; the public to his/her involvement in the affairs of the community. Arendt looked to the activities of the public as the proper medium or 'space' for the individual's exercise of freedom since the public offers opportunities for expressing oneself in speech and in actions (either individually or in concert with others).

Arendt's lament about 'lost treasure' was that the revolutionary bodies ceded themselves to



becoming administrators of governments rather than as participators in the same. They were eager to wrest state power only to become its next patron; and were thus found to be after the other ends of politics – but *never after its true worth*. For “political participation is not the same as political administration” (Sitton, 1994, 315), since participation connotes *freedom* while administration connotes addressing the tasks of government - a worthy goal to be sure but an obvious loss of the freedom to participate. Bortolini observes, “men are free only when they act (politically) and being free – acting – cannot be confused with a right, a state or even a ‘gift’” (2003, 9). Arendtian freedom involves genuine political acting, which even includes the freedom not to politically act (*apolitia*).

This kind of freedom is suggested in Arendt’s council democracy, since she envisioned that not all are geared towards participation in public affairs. Arendt writes: “[a]nyone who is not interested in public affairs will simply have to be satisfied with their being decided without him [...] but each person must be given the opportunity.” (1970, 233).

Arendt’s participants are self-appointed. While this may raise suspicions of selfish or vested interests, Arendt’s qualification spurs self-examination and (idealistically) banishes ill-intents: “[t]hey [must have] have *amor mundi* [...]” (Sitton, 1994, 314). *Amor mundi* – love of the world; in plain terms, this qualification points to a ‘disinterested politics’, a suggestion which might easily be seen as naïve, given the circumstances and realities of administration or governance. There would be no doubt that all state-governance systems have a form of corruption or vested-interests within some of their leaders, and such a phenomenon may certainly be ascribed to indigenous governance systems as well for the sake of parity. The difference between the two is that at times state governance may (wittingly or unwittingly) enable its aspiring leaders to assume and maintain their grip on power longer due to the

sheer size of their constituencies. Many of these constituents are unfamiliar with each other, and even when speaking of the smaller units of state governance (the barangay systems) whose members might exhibit familiarity, the main basis for the selection of leadership is still the vote. It is an unfortunate observation that violence and even murder makes its way into the Philippine barangay elections. The indigenous political system, on the other hand, while being composed of larger councils (the *ili or village*) representing many groups unfamiliar with each other, initially operates on a much smaller scale (the *ator* or the wards) whose leaders are self-selected or are appointed mainly on the basis of merit or character. Again, the leaders or the elders arise from the people rather than simply assume the post without the people’s confidence and trust. Reiterating as well, their tenure is not set by a calendar, but rather by whether they still uphold the interests of the group or not. It goes with no great effort to recognize that such features of freedom and selflessness are operative in many indigenous systems and governance practices.

As an aside, the continuing assertion of genuine autonomy for the region may also be cited as an example of Cordilleran awareness and freedom. For what it is worth, the two failed plebiscites for Cordillera autonomy that have come and gone (in 1990 and in 1998) are not indications of the lack of eagerness for autonomy as some might rashly conclude. It was rather an *indigenous statement of protest* against a state-defined “autonomy” – against an autonomy that was not theirs to draft, define, and therefore ultimately not theirs to enjoy.

Conclusion

The Cordillerans love their freedom, and they would be willing to share this notion of freedom in avenues where they are respected as equal participants. Indigenous Cordillerans also

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acknowledge their membership in the Filipino nation, and as its citizens, they are aware of the need to participate in its affairs. In the least, what is called for is the recognition of the distinct way of life that guides the Cordilleran mindset. Again, this is one based strongly on the land. In truth many present local agencies of the Philippine state acknowledge indigenous governance systems and take them into consideration, but a wider acknowledgement (on the national level) should be argued for. Should state governance recognize this, then conflicts would have lesser and lesser legitimacy. *The indigenous Cordillerans know this naturally, and the state needs to incept it in its code.*

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